

Department of Corrections Advisory Council
Meeting Minutes
January 31, 2006
Montana State Prison, Deer Lodge, Montana

Members Present

Lt. Governor John Bohlinger, William Dial, Bob Ross, Senator Jim Shockley, Representative Tim Callahan, Representative Veronica Small-Eastman, Senator Mike Cooney, Representative Larry Jent, Senator Steve Gallus, Red Menahan, Representative Gail Gutsche, Senator Trudi Schmidt, Allan Underdal, Adam Gartner, Emily Matt Salois, David Castle, George Corn and Emery Jones.

Report on Recent Prison Lockdown

Ross Swanson, Deputy Warden

On Wednesday, 12/21/05, around 11:40 a.m. the MSP Inner Perimeter Security (IPS) Team doing a mass search of Close Unit 1 found a security breach in one of the inmate cells. Space in the wall of the cell had been chipped out and the first cement block portion of the wall was breached. Outer tip up concrete wall was not breached. Numerous tools were found in the hole in the wall that had been disguised by the inmates. After inmate count and staff accountability cleared, the facility went into a lockdown status.

Sen. Cooney asked if the hole was a place to stash contraband or part of an escape. Mr. Swanson answered that it was still under investigation.

Sen. Schmidt wondered if the inmates still had access to health services during lockdown. Mr. Swanson explained that health services came to the locked down units.

Lt. Governor Bohlinger gave a brief overview of how well the tour went the previous day and thanked the Warden and his staff. Stated the health services unit was acknowledged with a plaque to commemorate the compliance of the ACLU settlement agreement.

Report on Escape

Bill Slaughter, Director

Inmate Dueston Haggard, AO46163, escaped from a Cascade County Sheriffs transport van on 1/11/06 while being transported through Helena to MSP at approximately 7:30 a.m. He had breached his restraints with a key that he had in his possession and went out the Cascade County transport van roof escape hatch. Inmate Haggard slid off the back of the van as the vehicle was slowing or stopping on the off ramp at the Lincoln road interchange off of I-15 in Helena.

The Cascade County transport van had 11 inmates, 4 of which were dropped off at Powell County Sheriffs Office, and 7 were to be transported to the Reception Unit at MSP. When transport van arrived at Reception Unit, Cascade County transport staff determined they were short one inmate. Notification of the escape was made as soon as the determination was made. Emergency alert went out over the state regarding this inmate. Inmate was captured by Lewis and Clark Sheriffs office at the Blackstone Inn in Helena around 10:30 p.m. on the day of the escape.

Transportation Plan

Bill Slaughter, Director

Currently MSP performs transports related to court, medical or other issues. MSP assists as needed with transports to DOC contracted facilities, extraditions, or other locations. Effective July 1, 2006 the TransCor contract will expire and MSP will take over the transportation of inmates that is currently being done by TransCor. County Sheriffs will still be required to provide the first initial transport from the county to MSP. MSP is working with County Sheriffs on the transportation associated with inmate moves within the state and those associated with the Northwest Shuttle.

MSP is currently working on the specifics and items needed to take over the TransCor contract. Things that will be needed include additional staffing, transport vehicles and chase cars. Issues that need attention include scheduling of transports, union issues, staff work schedules, issues related to transports of females and training.

Sheriff Castle thanked everyone for their assistance with the escape. He explained that public safety is his number one priority, but has to work within budget. The vans that the county has are obsolete.

Sen. Cooney asked about the investigation.

Director Slaughter said Sheriff Leidle will lead the investigation and do the report.

Sen. Shockley opined to not recreate the transportation system again because of this one escape, because of the costs involved. Director Slaughter explained that MSP is just taking over what used to be the Northwest Shuttle system and why MSP would do a great job at the lowest cost possible, and would give a great rate to the counties that want to use it.

Lt. Governor Bohlinger stated that we would continue discussing this issue at another meeting.

Legal Unit Litigation Report

Diana Koch, Chief Legal Counsel

Mrs. Koch gave details on the types of cases that affect the legal team. She also summarized a few of the recent significant cases that the team is working on. Mrs. Koch also explained how offender sentence calculations are now done on a computer spreadsheet and how effective the spreadsheet cuts down on court filings.

There were no questions on the legal presentation.

Youth Services Division Report

Steve Gibson, Division Administrator

Mr. Gibson gave a broad summary of the operation and program statistics of his division. He touched on the success of the reentry aspect of Youth Services and covered the fact sheet that explains the business practices of the division that help with diversion, prevention, rehabilitation and non-incarceration. He pointed out that admissions to Youth Services are down 40%, because of the programs available and the coordination with prevention resources. The fact sheet shows the programming efforts of each aspect of youth services and statistics that show the effectiveness of their reentry efforts and faith based initiatives. Mr. Gibson also reviewed the services that they provide and gave an explanation of how they coordinate with other entities and how inclusion of families helps reduce recidivism.

Sen. Shockley inquired on how Montana compared with youth recidivism in other states. Mr. Gibson stated it is hard to compare as each state has different systems.

Ms. Matt Salois requested information on what Youth Services does for Native American youth. Mr. Gibson summarized the things that were done specifically for Native Americans, such as the sweat lodge at Pine Hills and relations with tribal leaders. Tribal youth are not sent to Youth Services. Tribal youth are handled by the federal system.

Mr. Corn asked about mental health offenders.

Mr. Gibson's stated the national preference is to keep youth mental health issues in family services and out of corrections.

Sen. Schmidt requested Mr. Gibson's opinion on where the gaps are in youth services.

Lt. Governor Bohlinger asked Mr. Gibson to provide that to Sen. Schmidt at the next meeting.

Mr. Gibson added he would be happy to set up tours if any member wanted to tour the youth facilities.

Inmate Population Forecast

Jim Heidlebaugh, Data Quality & Reporting Unit Manager

Mr. Heidlebaugh gave an overview of the population forecasts report, and pointed out that the report is a living document and will change as programs come on line.

Rep. Callahan asked what we based the numbers on for the report. Mr. Heidlebaugh explained that they are estimates based on past data, new philosophies and experience.

Study Subcommittee Report

Representative Gail Gutsche

Rep. Gutsche reported on the progress of the Corrections Study Subcommittee. The consensus of the subcommittee was that a study should focus on what kind of individualized programs and services are needed in community corrections to keep non-dangerous, nonviolent offenders out of prison, with the intent to significantly reduce prison populations. The study also would address the issues affecting drug-addicted and mentally ill offenders. One goal is building community programs that treat these afflictions while keeping offenders in their communities. Another is to make re-entry into the community an easier, smoother and more successful process by providing the necessary resources and services. The study would consider prevention and treatment programs tuned to the unique needs of sex offenders. Attention will be focused on the special needs of incarcerated women with crimes related to Meth, and the disproportionately high incarceration rate of American Indians.

Possible solutions include more drug treatment counselors, job assistance advisers in probation and parole offices, additional probation and parole officers, greater use of drug-treatment courts, creation of mental-illness courts, and healing circles.

Sen. Schmidt asked if the subcommittee has prioritized these issues. Rep. Gutsche explained that the subcommittee was still in that process.

Sen. Shockley opined that Corrections should concentrate on community options and not hard bed placement.

Mr. Ross opined that there is stress on the system for family services and corrections because of the high cost of treatment services in the community. Some don't have the option for community treatment and the only place they can receive it is in secure custody.

Family Tree Center Presentation

Dena Burt, Director, and Mary Gilluly, past Director

Ms. Burt and Gilluly gave an overview of The Family Tree Center, which provides a wide array of services to support and strengthen families in a multi-county area. Program offerings include: Second Step, a violence prevention program and the Family Guide to Second Step; Parent Education; respite child care; parent mentoring; and a resource library. They also run a parenting program at Montana Women's Prison.

The Parenting Place

Teresa Cowan, Director, and Marty Smith

Ms. Cowan gave an overview of The Parenting Place, which promotes positive parenting and strengthens families through an array of services to families throughout Missoula County. These services include parent education classes, children's programs, support groups, Parent Aide home visiting, respite child care and resource and referral.

Both groups stated that both programs are growing and evolving and they would like to see continuity of service throughout the state.

Sen. Schmidt wondered if there was coordination between the programs throughout the state.

Ms. Gilluly replied that there was not at the moment, but plans are in place.

Mr. Menahan asked if funding came from the children's trust fund.

Ms. Gilluly stated that the program is federally funded.

Mr. Corn inquired if the programs were non profit.

Ms. Gilluly replied that they were non profit organizations.

Mr. Corn also requested budget information.

Ms. Cowan answered \$230,000 this year for the Parenting Place.

Ms. Gilluly added \$280,000 this year for the Family Tree Center.

Lt. Governor wondered if they worked with United Way.

Ms. Gilluly stated they did.

Rep. Gutsche asked what percent of served are felons.

Warden Acton stated that 85% of women incarcerated.

Ms. Gilluly added that 33% are in community corrections and 20% of home visiting.

Rep. Gutsche asked if there were programs like these throughout the state.

Ms. Gilluly answered that there are comparable models, but not every area has one.

Rep. Gutsche requested information on follow up aftercare.

Ms. Smith said that the families stay in touch, so there is no need to follow up.

Rep. Gutsche asked if the programs give referrals to other services.

The presenters summarized the programs they refer to, such as anger management, chemical dependency counseling, mental health, housing and drug courts.

Sen. Gallus wanted to know their benchmarks on end of services and prepare for independence.

Ms. Cowan said they learn to recognize and break ties with negative or needy influences.

Rep. Small-Eastman requested information on what these programs offer to Native Americans.

Ms. Burt said the programs are nationally certified and that they train at reservations. Ms. Gilluly added there is continuity of service both on and off reservations.

Rep. Small-Eastman also asked about follow up training.

Ms. Gilluly stated they return annually.

Channis Whiteman wanted to know at what age can we “save” kids.

Ms. Gilluly said there is no safety net as they get older, but it helps to reach them at a very early age.

Mr. Menahan mentioned that most social services are only available between nine-to-five.

Ms. Matt Salois mentioned that there are programs like these for the tribes.

Connections

Casey Rudd, Founder; Wade McLaughlin, former inmate; and Vince Hallam, former inmate

Ms. Rudd summarized that Connections is a Bozeman-based statewide non-profit organization that assists prisoners before and after release from incarceration. Connections provides mentoring, writes parole plans and helps with transitional services such as housing, jobs, clothes, household items, furniture, transportation and referrals to other agencies. The goal is to reduce the recidivism rate in Montana by helping with a successful re-entry. Connections also supports and encourages positive life changes and a drug-free lifestyle. Ms. Rudd also explained some of the obstacles that the program has had to overcome, such as the number of clients in the home they can have at one time.

Mr. Hallem and Mr. McLaughlin described the hardships and issues they have faced upon getting released, such as finding work, overcoming the “felon” distinction, access to social services and transportation. Both gave praise to Connections and stated the support they received was invaluable.

Rep. Small-Eastman asked about how the program relates to the community in job hunting for clients.

Ms. Rudd said the program collaborates with services and employers around the community that understand that they are felons and help accommodate for that to give them a chance.

Rep. Gutsche asked Ms. Rudd about her personal experience with what Ms. Rudd referred to as “a 100 bucks and good luck” and what would have made it work for her.

Ms. Rudd stated she had no community follow up and that everything is so overwhelming when you first get out, so a community support program like hers would have been excellent, that is why she started the program.

Sen. Schmidt asked what needs the program provides for.

Ms. Rudd mentioned basic needs, such as food, clothing, shelter and someone to talk to. She emphasized “community, community, community”.

Asked council for a corrections summit.

Lt. Governor asked Mr. Hamell and McLaughlin where they would be if Connections wasn't there.

Mr. Hamell stated he would be at MSP.

Mr. McLaughlin stated he wouldn't have survived and would probably be dead.

Ms. Rudd commented that most of her clients were denied by all of the prereleases.

Mr. Menahan inquired as to Mr. McLaughlin being hired at MSU.

Mr. McLaughlin disclosed as a felon, and MSU didn't want to employ felons.

Sen. Schmidt asked Ms. Rudd about the limits on the amount of felons allowed.

Ms. Rudd deferred to Mr. Driscoll.

Bernie Driscoll, Region II Supervisor for Adult Probation & Parole, declared the department was alarmed with the amount of felons staying at one location, concerned with the risk to public safety.

MSP Inmate Presentations

Inmate Chris Cunico

Mr. Cunico gave a summary of his crime and experience with his placement and treatment in the community. He also explained how the hardships of life lead him back to criminal behavior.

Sen. Schmidt inquired about the services that were available to him in the community.

Mr. Cunico said he was given a lot of chances in the community and even went to the Gateway Recovery Center in Great Falls. It was a long road back to prison. He mentioned that he may have done better with more intensive treatment.

Bill Dial wanted to know what his motivation was to deal again.

Mr. Cunico claimed it was financial at first, but then he started using again.

Lt. Gov asked for Mr. Cunico's opinion of the "Not Even Once" anti-Meth campaign.

Mr. Cunico has seen the commercials and opined that they are very factual. He hopes they work.

Rep. Jent requested Mr. Cunico's opinion of the D.A.R.E. program.

Mr. Cunico was not very familiar with the program.

Inmate Eric Galloway

Mr. Galloway also gave a summary of his crime and experience with his placement and treatment in the community. He also explained how the hardships of life lead him back to criminal behavior.

Sen. Cooney asked what Mr. Galloway needed to be successful in the community when he is released.

Mr. Galloway stated that he would like a stable reentry program with moral support.

Sen. Schmidt requested Mr. Galloway's opinion on what program has been the best for him.

Mr. Galloway favored the Montana Dads Incarcerated program.

Sen. Schmidt asked Mr. Galloway to define a stable reentry program.

Mr. Galloway gave faith based prerelease centers as an example.

Mr. Menahan requested Mr. Galloway's opinion on what could help with the control of Meth manufacturing.

Mr. Galloway opined that putting ephedrine based products behind the counter has helped.

Board of Pardons and Parole Update

Craig Thomas, Executive Director

Mr. Thomas answered questions that the Council had presented to him at the last meeting, and gave an overview of some issues they were facing, such as placements for offenders with the following issues: chemical dependency, mental health, sex offenders and geriatrics; and roadblocks they were facing with ISP (Intensive Supervision Program) screening committees. The Board would also like to look at legislation to change medical parole.

Mr. Thomas also mentioned how well the START program was working and how prereleases are taking more “hard to place” offenders.

Sen. Shockley asked if the Board was using video conferencing.

Mr. Thomas answered that they are utilizing the technology at MSP, and plan to broaden the use to the other facilities.

John Daugherty, Information Technology Bureau Chief, added that Corrections is expanding in the use of video conferencing across the state.

Mr. Underdal inquired as to how diligent the Board is on contacting victims. Mr. Thomas explained that they can only contact victims if they request to be notified and keep the Board and Corrections apprised of changed phone numbers and addresses.

Adult Community Corrections Staff Expansion Report, START Center at Warm Springs, Special-Needs Inmates Program, and Meth Treatment Program Proposals

Mike Ferriter, Administrator

Mr. Ferriter summarized the expansion of P&P staff, eight additional FTE and funding for up to 10 contracted staff has been authorized to continue to address the risk and needs posed by Montana’s non incarcerated offender population. The P&P Bureau will focus these additional resources on offenders with chemical addictions, co-occurring disorders (mental health and chemical dependency), histories of sexual offences, felony DUI offences and issues of unemployment or underemployment.

Mr. Ferriter discussed the snapshot of offenders on conditional releases and how chemical dependency plays a major part and pointed out the ages these offenders started using Meth.

The START (Sanction, Treatment, Assessment, Revocation and Transition) program is an 80-bed facility located at Warm Springs. Male offenders are placed in the program after a disciplinary, on-site or intervention hearing by a community corrections hearings officer as a sanction or because the offender’s community placement was revoked. Sanctioned offenders will likely be at the program for 30 days or less. After completing their stay, offenders will go back to their previous status such as parole, probation, prerelease or conditional release. Sanctioned offenders are seen as doing county jail time for not complying with

supervision requirements. It is likely that the offender has been given prior chances to fulfill supervision conditions and the time has come for the offender to be held accountable for not following the rules. The goal of START is to assess the offender's options and to see what might help him to be returned to the community instead of being sent to prison.

Effective July 1, 2005, the Department of Corrections has allocated to pay Prerelease centers financial assistance for "special needs" offenders provided they receive approval before the offender enters the program. This contribution may temporarily assist disabled offenders until they are financially independent. The Department may assist eligible offenders by covering costs that they would normally be responsible to pay while in prerelease. The Department will also assist with additional needs such as the cost of medications, mental health counseling, sex offender counseling, medical visits, and release expenses.

The Department of Corrections is also seeking a contractor to develop and implement a structured, comprehensive, Residential Methamphetamine Treatment Program for offenders convicted of second or subsequent criminal possession of methamphetamine, or offenders deemed appropriate for placement by the Department, which provides individual and group treatment utilizing the therapeutic community model for a 6 to 9 month duration along with aftercare linkages for Program completers. In March 2006, a contract is expected to be awarded to one of the three proposers, which are all nonprofit providers from the state.

Sen. Shockley mentioned expansion in the community and levels of supervision and asked for Mr. Ferriter's comments.

Mr. Ferriter stated that Corrections is trying to provide a level of services that helps with reducing recidivism in keeping with the standards of public safety. Mr. Ferriter stated that there is a need for another way to discharge lowest level, compliant offenders off of community supervision workload.

Mr. Corn asked for Mr. Ferriter's opinion on the 72 hour hold as a sanction.

Mr. Ferriter stated that it is working and that offenders who were polled, jail time was the worst sanction they could receive.

Updates

CCA

Jim MacDonald, Warden

Warden MacDonald gave a report on the incident that happened at Crossroads on January 7, 2006. The prison was put under lockdown after a fight involving eight inmates. Three staff members and two inmates were injured during the altercation in a close custody housing unit. The situation was resolved within six minutes. Mr. MacDonald gave appreciation to the bravery and actions of the

staff that helped put an end to the situation. Two inmates sustained injuries that did not require outside medical attention. Three staff members were taken to the local hospital for treatment for non-life-threatening injuries.

Prison Staffing Recruitment

Ken McElroy, Personnel Bureau Chief, substituting for Steve Barry

Mr. McElroy summarized the recruitment efforts at Montana State Prison for correction officer and medical staff. The department is filling up vacancies very well, due to significant efforts to improve tangential conditions of employment and low cost high yield advertising efforts.

Sen. Gallus inquired about the success employee transportation project pilot. Mike Mahoney, Warden of Montana State Prison, briefed that the pilot is still in effect and the Department of Transportation is now involved. It is working extremely well so far and the department will report on the progress as more information becomes available.

Sen. Schmidt mentioned that victims were left out of this meeting, and asked about victim impact panels, and if we could present on victims issues at a future meeting.

Public Comment

Miranda (didn't give last name) stated that she is on the Board of Directors for Ms. Rudd's Connections program and stated that she has noticed a major connection between people who have not learned life skills with chemical dependency. If a person cannot deal with something, they turn to drugs and alcohol. She believes that learning and teaching these coping skills will help with the chemical dependency problem. She also stated that the Corrections Advisory Council is a great way to share information, keep ideas fresh and innovative and open paths for new directions for the state.

Travis Cory mentioned that he was a former inmate at MSP. He shared his story and advocated for the TEAM Mentoring program, which is a non-profit, faith-based volunteer organization that works to form healing, faith based mentoring relationships. Mr. Cory stated he is successful in the community and that he couldn't have made it without this program.

Mike Thatcher, Administrator of Community Counseling and Corrections Services, spoke about his passion for corrections and stated that there are a lot of great things in the works for corrections, both private and public. He stated that corrections is not the end of the line for the criminal justice system. The programs that are being designed are innovative and that solutions are coming, and he is glad to be a part of it. Mr. Thatcher also invited members of the council to come visit his facilities.

Director Slaughter closed the presentation by thanking the members of the Council, the presenters, the public and the staff.

Plan Next Meeting

April 7, 2006 at Montana Women's Prison, Billings

Adjourn

Minutes, reflecting paraphrased and condensed remarks, prepared by Ted Ward,
Montana Department of Corrections